

Dated: September 7, 2011



George B. Nielsen

George B. Nielsen, Bankruptcy Judge

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11 **IN THE UNITED STATES BANKRUPTCY COURT**
12 **FOR THE DISTRICT OF ARIZONA**

13 In re:

Chapter 11 Proceedings

14 WASHINGTON COAST I, L.L.C.,

Case No. 2:08-BK-18608-GBN

15 STRUCTURAL INVESTMENTS &
16 PLANNING IV, L.L.C.,

17 Debtors,

Adv. No. 2:09-ap-00553-GBN

18 PACIFIC CONTINENTAL BANK and
19 SONAS CAPITAL GROUP, LLC,

**ORDER GRANTING MOTION
FOR RECONSIDERATION OF
FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER**

20 Plaintiffs,

21 vs.

22 RESOURCE FUNDING, INC.,

23 Defendant.

24 Defendant Resource Funding, Inc. having filed its *Motion for Reconsideration of*
25 *Findings of Fact, Conclusions of Law and Order* filed July 26, 2011 (Doc. 124, "Motion")
26 and the Court having considered Plaintiff's *Response* thereto (Doc. 127) and the arguments of
counsel,

1 IT IS HEREBY ORDERED that Defendant's *Motion* is granted, in part, and Paragraph
2 23 (page 17) of the Court's *Findings of Fact, Conclusions of Law and Order* ("*Findings*")
3 filed July 26, 2011 (Doc. 122) is revised to read as follows:

4 23. A few days after the Doney /Lynch conversations, a subordination
5 agreement was delivered to Sonas. After initially refusing to sign, following
6 negotiations Lynch signed the subordination. To his surprise, he later learned
7 from Doney that the RF loan had closed with a first lien position granted without
8 a bank subordination. He repeatedly contacted the title company, advising that
9 their title report erroneously reflected the RF senior lien position without a PCB
10 subordination. The title company refused to act. Lynch test. at pgs. 60-94.

11 The remainder of the Findings shall continue in full force and effect.

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DATED AND SIGNED ABOVE BY:
GEORGE B. NIELSEN, JR.
UNITED STATES BANKRUPTCY JUDGE